IN THE HIGH COURT OF JUDICATURE FOR
RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

O R D E R

S.B. CIVIL WRIT PETITION NO.6425/2007.

Sangeeta Barar and ors.
Vs.
Rajasthan University of Health Sciences & Anr.

Date of Order : 27/8/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Amit Jindal for the petitioner.
Dr. Y.C. Sharma for respondent-University.

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BY THE COURT:-

The petitioners are students of third Professional M.B.B.S. Part-I (Remanded) and their examination of third Professional M.B.B.S. Part-I was held from 23/4/2007 to 3/5/2007. Result of the said examination was declared on 6/8/2007. Some of the petitioners however could not clear all the papers and some could not clear only four papers. As per the programme originally notified by the Principal of SMS Medical College Jaipur on 17/8/2007, internal assessment examinations of MBBS Examination Part-I were declared to commence from 20/8/2007 to 22/8/2007 with a further notice that practical examinations

would also be held in the concerned branch on the same day. By issuing a separate notification, Controller Examination declared revised time table of third Professional MBBS Examination on 14/8/2007 which was scheduled to commence from 23/8/2007. This notice was received on 17/8/2007 and was affixed on the notice board.

2) Learned counsel for the petitioners has assailed this time table and has argued that examination of third Professional MBBS Examination Part-I (Remanded) ought not be scheduled from 23/8/2007 in the face of the fact that final MBBS Part-I examination would be held from 20/8/2007 to 22/8/2007 and there would be no time gap between the two. This is according to the learned counsel for the petitioners is arbitrary exercise of power by the respondent-University because if the students would not be able to appear and clear third Professional MBBS Examination, 2007, then their valuable academic year would be lost which cannot be compensated.

3) Having heard learned counsel for the petitioners, learned counsel for the University of Rajasthan and perused the material on record, I find

that the petitioners are those students who admittedly appeared in the examination after giving one chance to them and therefore they were made to appear in remanded papers. All of them failed to clear not only in one paper but in three-four papers. As per Rules of examination however they are being given another chance to appear. They cannot therefore insist on conduct of examination as per their convenience particularly when the respondent-University has exercised this exercise by taking into consideration the whole lot of students including the petitioners. The petitioners now cannot claim to be given special treatment.

4) I do not find any merit in the writ petition.

The writ petition is accordingly dismissed being devoid of merit.

(MOHAMMAD RAFIQ), J.

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